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Austin City Council MINUTES

For OCTOBER 1, 1987 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Memorandum To:

Mayor Pro Tem Trevino called to order the meeting of the Council, noting the absence of Councilmember Carl-Mitchell.

MINUTES APPROVED

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, approved minutes for regular meeting of September 17, 1987 and special meeting of September 22, 1987. (4-0 Vote, Councilmember Urdy, Mayor Pro Tem Trevino and Councilmember Carl-Mitchell absent)

Councilmember Urdy entered shortly thereafter and Mayor Pro Tem Trevino entered at 2:45 p.m.

CITIZEN COMMUNICATIONS

Tom Smith, Heather Ball, Chris Strand, Glenna Balch and Michael L. Garrison discussed Southern Union Gas Company's conservation program. Brother Tony Hearn talked about City expenditures for indigents. Betty Priest withdrew her request to speak.

RECESS

Council recessed its meeting from 2:10 to 2:30 p.m.

RECESS

Council recessed its meeting at 2:30 for an Austin Housing Finance Corporation meeting. The regular meeting was resumed at 2:32 p.m.

OLD BUSINESS - ORDINANCES

Zoning Ordinance

The Council, on Councilmember Humphrey's motion,

Councilmember Urdy's second, passed through second/third readings of ordinance amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (5-0 Vote, Councilmember Carl-Mitchell and Mayor Pro Tem Trevino absent)

(1) LAKE CREEK VILLAGE 12129 R.R. 620 From "LR"
By Ben Turner Suite 406 to "CS-1"
C14r-87-120

First reading August 27, 1987, (7-0). Conditions have been met as follows: Development restricted to that shown on site plan attached as an exhibit to the ordinance.

ITEM POSTPONED

Postponed to October 15, 1987 is consideration of granting a Comprehensive Watershed Ordinance waiver to Bonita Vista Subdivision. (Staff recommends denial)

CONSENT RESOLUTIONS

The Council, on Councilmember Humphrey's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Carl-Mitchell absent)

Eminent Domain Proceedings

Authorized eminent domain proceedings to acquire the following easement for construction of improvements to the City of Austin's Wastewater System in the West Bull Creek area:

- a. 0.933 acre parcel of land, including temporary working space easements totaling an additional 0.93 acre, Lot 1, Block A of Park 22-Phase B Subdivision, out of the Heirs of William Swain Survey No. 810 of Travis County, Texas, and owned by John H. Biggar, Terrence Kendall, David Helfert, and Edmund J. Flemming Jr.

Authorized the filing of eminent domain proceedings to acquire:

- a. 24,992 square feet (0.5737 acre) of right-of-way in fee simple out of the James M. Mitchell Survey, No. 17, Abstract No. 521 in Travis County, Texas from William G. Nagel for the Spicewood Springs Road Phase II Project.

Capital Improvements Program

Approved acquisition of 50.27 acres of land for park purposes along Slaughter Creek. (Gunn-Olson-Stordahl Joint Venture, owners) C.I.P. Nos. 83/86-58, 75/86-03, 83/86-01 & 85/86-58.

Capital Improvements Program - Continued

Approved acquisition of a 0.619 acre (26,977.93 s.f.) tract of land for the purpose of U.S. Hwy. 290/S.H. 71 right-of-way. C.I.P. No. 85/62-02.

Approved acquisition of a 0.792 acre (34,510 s.f.) tract of land for the purpose of U.S. Hwy. 290/S.H. 71 right-of-way. (Tres Amigos, Inc., owners) C.I.P. No. 85/62-02

Authorized and approved additional funds for professional engineering services for the design and construction of Water and Wastewater Service System to annexed areas.

Contracts Approved

Approved the following contracts:

- | | |
|--|--|
| a. SOUTHWAY ELECTRIC UTILITY SERVICES, INC.
9705 Beck Circle
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
138KV Insulators and Insulator Assemblies, Electric Utility Department
Item 1-3 - \$107,097.00 |
| b. ACCO WASTE PAPER OF AUSTIN
4712 Bolm Road
Austin, Texas | - Sale of Household Glass and Metal collected by the City of Austin Curbside Recycling Program, Transportation and Public Services Department
Total \$89,640.00 87-S350-PS
(Revenue Generated) |
| c. APW ELECTRONICS, INC. (WBE)
820 Shelby Lane, #103
Austin, Texas | - Mobile Radio Trunking System, Water and Wastewater Department
Total \$73,883.03 |

Contract with Texas Department of Health

Renewed the contract with the Texas Department of Health for grant funding for the following items:

- a. Provide 7 state warrant-paid employees for Public Health Services for the period September 1, 1987 through August 31, 1988.
- b. Provide funding (\$32,159.00) for Environmental Health

- Services for the period September 1, 1987 through August 31, 1988.
- c. Provide funding (\$130,369.00) for Pediatric Home Care Services for the period October 1, 1987 through Septmeber 30, 1988.
 - d. Provide 2 state warrant-paid employees in the Sexually Transmitted Disease Program for the period September 1, 1987 through August 31, 1988.
 - e. Provide funding (\$123,608.00) for Sexually Transmitted Disease Services for the period September 1, 1987 through August 31, 1988.
 - f. Provide 1 state warrant-paid employee in the Tuberculosis Program for the period September 1, 1987 through August 31, 1988.
 - g. Provide funding (\$51,824) for Tuberculosis Services for the period September 1, 1987 through August 31, 1988.

Encroachment of Awning

Approved entering into a License Agreement to allow the encroachment of an awning into the San Jacinto Street right-of-way 1600 block. (Request submitted by Mr. M.J. Osborne on behalf of Austin Sangerunde.

4-0 Vote, Mayor Cooksey abstained, Mayor Pro Tem Trevino and Councilmember Carl-Mitchell absent.

Termination of Restrictive Covenant

Authorized execution of a termination of restrictive covenant in connection with Zoning Case No. C14-85-149.33.

Northwest "A" Pressure Zone

Approved an amendment to the agreement regarding the construction of improvements to the City of Austin's water system in the Northwest "A" Pressure Zone (Zale-Kruger Project).

1984 CAPITAL IMPROVEMENTS PROGRAM AMENDMENT

Council had before them an ordinance to consider amending the 1984 Capital Improvements Program by:

- (1) Deleting the City Park Road at RM 2222 project, and by appropriating the City Park Road funds to the following projects:

a. C.I.P. Program

(1) Parmer Lane Right-of-Way	\$1,377,964.00
(2) Cameron Road	681,924.00
(3) Braker Lane	104,542.00
	<u>\$2,164,430.00</u>

Several citizens spoke concerning this. Their cards are on file in the City Clerk's office.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Nofziger's second, waived the requirement for three readings and finally passed an ordinance allocating the necessary money for Parmer Lane right-of-way this date and the rest of the money allocated for City Park Road at 2222 remain until after a meeting with the Highway Department. This will be placed back on the agenda for action on November 5, 1987. (6-0 Vote, Councilmember Carl-Mitchell absent)

CIVIC CENTER FUNDING

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, waived the requirement for three readings and finally passed an ordinance amending the 1987-88 Annual Operating Budget & the 1987-88 Capital Improvements Program (CIP) Budget by transferring \$720,859.00 from Civic Center Reserve Fund and appropriating it to the CIP Civic Center Project to fund the costs of Phase II. (5-0 Vote, Councilmember Shipman abstained, Councilmember Carl-Mitchell absent)

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, adopted a resolution approving a contract with Gilbane Building Company for a not-to-exceed amount of \$683,961.00 for Project Management services for Phase II of the Austin Civic Center Project. (5-0 Vote, Councilmember Shipman abstained, Councilmember Carl-Mitchell absent)

CHANGE ORDER

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving the following change order: (5-1 Vote, Councilmember Humphrey voted No, Councilmember Carl-Mitchell absent)

- a. In the amount of \$401,694.00 to Energy Services, Inc., for the Gas Turbine Contract. (1.65% increase of the original amount of \$24,395,890.00)

CONTRACTS WITH HEALTH MAINTENANCE PROGRAMS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, adopted a resolution approving a contract with Prucare of Austin and Texas Health Plans, Inc. for twelve month contracts for Health Maintenance Organization (HMO) options for City of Austin employees, with a friendly amendment by Councilmember Shipman to bring the contract to Council and report concerning the utilization of Brackenridge Hospital before signing contract. (5-0 Vote, Mayor Cooksey, who had relinquished the chair to Mayor Pro Tem Trevino, abstained, Councilmember Carl-Mitchell absent)

ITEMS FROM COUNCIL

Wells Branch Subdivision

Councilmember Shipman introduced an item to Council to discuss annexation of Wells Branch Subdivision. The following motion was made:

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, directed the City Manager to direct staff to initiate a procedure for limited purpose annexation. (6-0 Vote, Councilmember Carl-Mitchell absent)

Item Postponed Re Amending 1987-88 Electric Utility C.I.P.

Postponed to October 8, 1987 is consideration of an ordinance amending the 1987-88 Electric Utility C.I.P., introduced by Councilmember Shipman. She made a motion to not approve projects on the 1984 bond election and referred to page 6, C.I.P. 1987-88 and a list she had. She withdrew her motion after discussion.

PUBLIC HEARING - STREET VACATION

Mayor Cooksey opened the public hearing set for 4:00 p.m. on vacation of Old Bull Creek Road, Old Mount Bonnell Road and Old Tortuga Trail right-of-way at RM 2222. (Request submitted by Mr. Roy Thomas of Mount Bonnell Shores Development Company)

Council discussed and delayed action until later in the day.

LATER:

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating Old Bull Creek Road, Old Mount Bonnell Road and Old Tortuga Trail right-of-way at RM 2222 with a restrictive covenant included in the deed. (5-0 Vote, Councilmember Humphrey out of the room, Councilmember Carl-Mitchell absent)

PUBLIC HEARING - STREET VACATION

Mayor Cooksey opened the public hearing set for 4:30 p.m. on vacation of a portion of East Seventh Street right-of-way, 2700 Block. (Request submitted by Mr. Mario Rocha)

No speakers appeared to be heard.

Motion

The Council, on Councilmember Urdy's motion, Councilmember Shipman's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating a portion of East Seventh Street right-of-way, 2700 Block. (6-0 Vote, Councilmember Carl-Mitchell absent)

ZONING HEARING

Mayor Cooksey announced Council would hear the following zoning case. Council heard, closed the public hearing and passed the following ordinance:

r-87	PITTSBURGH NATIONAL	13776-K Research	From "GR"
142	BANK, TRUSTEE	Boulevard	To "CS-1"
	By Site Specifics		<u>ORDINANCE</u>

EMERGENCY PASSAGE OF ORDINANCE

(On Councilmember Urdy's motion, Councilmember Shipman's second, 6-0 Vote, Councilmember Carl-Mitchell absent)

CITY MANAGER REPORTS

City Manager Carrasco reported on Interim Development Process. Also discussing the process was George Aremis, Stuart Hersh and Fire Chief Roberts.

Motion

The Council, on Councilmember Shipman's motion, Mayor Cooksey's second, adopted the schedule of the Interim Development Process.

The City Manager report on West Bull Creek Interceptor was discussed.

RECESS

Council recessed its meeting from 5:25 to 6:10 p.m.

PUBLIC HEARING - PHARMACIES

Mayor Cooksey opened the public hearing set for 5:30 p.m. on proposed full service pharmacies at Rosewood-Zaragosa Health Clinic and East Austin Multi-Purpose Centers as proposed in the 1987-88 financial plan.

Citizens who spoke have cards on file in the City Clerk's office.

City Manager Carrasco said this plan will save the City money.

Motion

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, closed the public hearing and directed this be posted for action on the October 22, 1987 agenda. (5-0 Vote, Councilmember Humphrey out of the room, Councilmember Carl-Mitchell absent)

PUBLIC HEARING - ELECTRIC RATES

Mayor Cooksey opened the public hearing set for 6:00 p.m. to consider City of Austin Electric Rates for fiscal year 1987-88.

Citizens who spoke have cards on file in the City Clerk's office.

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Urdy's second, closed the public hearing, and scheduled this for a vote on October 5, 1987. (5-0 Vote, Mayor Pro Tem Trevino out of the room, and Councilmember Carl-Mitchell absent)

SPECIAL MEETING SET

The Council, on Councilmember Humphrey's motion, Councilmember Urdy's second, set a Special Called Council meeting for 4:00 p.m. on October 5, 1987. (6-0 Vote, Councilmember Carl-Mitchell absent)

ADJOURNMENT

Council adjourned its meeting at 11:00 p.m.